

**Committee on Human Services
The Honorable Adrian Fenty, Chair**

Council of the District of Columbia



**Testimony of
Vincent N. Schiraldi
Acting Director
Department of Youth Rehabilitation Services**

February 25, 2005

Testimony of Vincent Schiraldi, Acting Director
Department of Youth Rehabilitation Services
at a public oversight and confirmation hearing of the
Committee on Human Services
Friday, February 25, 2005

Chairman Fenty and members of the Committee, I would like to thank you for the opportunity to testify in today's combined oversight and confirmation hearing for the Department of Youth Rehabilitation Services (YRS) and my proposed appointment as Director to head YRS. You have now heard from me on three different occasions in the month since I have been serving as YRS' acting director, once on the troubling issue of youth homicides and twice on budget requests. I hope that today's testimony will be more refined and developed than those earlier conversations *both* because each day on the job I am talking to more staff, youth, parents and community members, and learning more about what it will take to reform YRS, *and* because insistence by this committee, by the Mayor's office, by the plaintiffs and special arbiter, and by other DC stakeholders that we develop a solid plan to close Oak Hill, initiate a range of rigorous and effective community programs, and create decent, humane and rehabilitative locked custody, has forced me and my staff back to the drawing board time and time again to refine and improve our vision and our plans.

Over the past month, I have met with staff from the Mayor's Office, members of the Council, the judiciary, the Office of the Attorney General, the Public Defender Service, the Department of Mental Health, plaintiffs' counsel, the special arbiter and experts retained by both parties in the Jerry M. case, the Consortium for Youth Services, the East of the River Clergy-Police-Community Partnership, the Justice 4 DC Youth Coalition, the Latin American Youth Center, Roots, Inc., the Alliance of Concerned Men, the Parents Exchange, Peaceaholics, UDC School of Law, the Time Dollar Institute and other community groups, staff and community members from the Juvenile Justice Advisory Group, and youth at all three facilities run by YRS. As you know, several representatives of these groups are here today and I would like to publicly thank them for their support

and guidance. I truly believe that we are all in this together and look forward to working with everyone as we move forward. I have also reviewed reports prepared by the Inspector General, various workplans developed pursuant to the Jerry M. Consent Decree, the Mayor's Blue Ribbon Commission Report, as well as numerous other experts' reports concerning conditions in YRS facilities and recommendations for improvement. It has been an experience that has been both enlightening and sobering. Having had these discussions and reviewed these materials, which includes a substantial amount of additional information since I last appeared before you, I believe even more strongly that we need to and can:

1. develop the nation's best continuum of care that is strength-based and family focused;
2. reduce the use of unnecessary secure confinement and out-of-home placements for nonviolent offenders;
3. maximize youth, family, community and staff input in our reform efforts;
4. increase interagency and community collaboration; and
5. create a "unit management" model that substantially improves conditions in our secure programs, similar to the nationally acclaimed programs currently being operated in Missouri.

What I would like to do now is lay out for you, in more specific terms than in my previous appearances before the Council, my vision for reforming YRS and the juvenile justice system run by the District of Columbia in two critical areas:

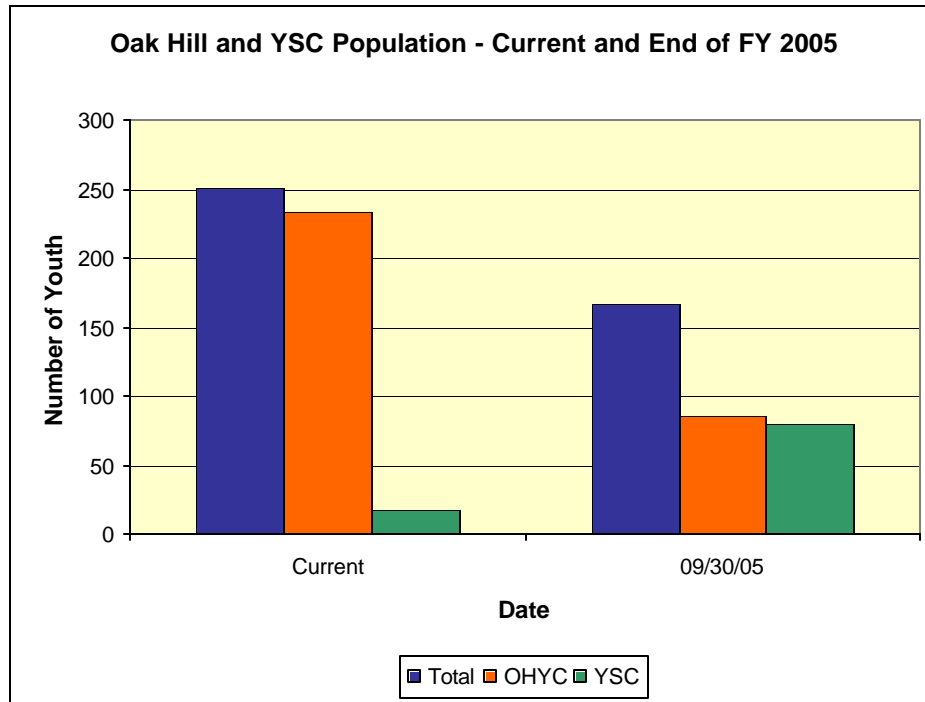
1. creation of a range of community programs, sometimes called a 'continuum of care,' to rehabilitate young people in the least restrictive alternative consistent with public safety; and
2. creation of model programming for youth confined in YRS facilities.

Because so many of the written questions I answered prior to this meeting focused on improvement of life, health and safety conditions for youth confined in Oak Hill – which is my third major area of concern, - I don't intend to focus on that during this testimony but would be happy to answer whatever questions you may have.

Before I get into the details of my presentation I'd like to reiterate what I've said publicly in previous presentations and privately in conversations with many of you – I truly believe that juvenile justice reform in DC is a challenge, but an achievable challenge that is not a daunting one, one that our department and the other system and community players, parents and youth are fully capable of meeting. In some ways my presentation will be similar to my previous testimony before the Council, in that I will be discussing what I believe YRS can do *in collaboration* with others in the District to reduce the likelihood that the youth who come into contact with YRS will graduate into violent criminal behavior or will themselves become victims of violence upon completion of YRS programs. It is my belief that what we do to keep youth safe and what we do to keep them from harming others is the same thing – get them out of the life of juvenile delinquency and on the road to turning their lives around. This *both* keeps them *and the rest of us* safer. I also want to reiterate my belief that in order for this effort to be successful it must be one in which YRS works *in collaboration* with other District agencies, community members, and other allies in a planned and thoughtful manner. Experience in other jurisdictions around the country has shown this to be the case, and unless we view this task as a shared challenge we will not be able to achieve effective and lasting reform.

The first area I'd like to discuss is the creation of a continuum of community based programs and downsizing of the population of youth held in locked custody. At the present time, we have approximately 251 youth in locked custody in DC, 17 at the newly opened YSC for pre-adjudication detained youth, and 234 crowded into Oak Hill. The last time I testified before you, I presented a budget predicated on reducing the *total* population of youth in locked custody to 206 by September 30 of this year. After reviewing our proposals with my staff, the Deputy Mayor and City Administrator and my and plaintiffs experts as I promised after our last meeting, I am proposing to reduce the number of youth in locked custody even further, to **166** total by September 30, **85** fewer than today's locked population, as a first step toward closing the Oak Hill Youth Center. That will require the hiring of 31 fewer FTEs, money that we're proposing be used for the creation or augmentation of community based programs. That would leave

approximately 86 youth at Oak Hill, and 80 at the newly opened Youth Services Center (See Chart I) by September 30th. Several YRS staff have been working at Oak Hill for over two decades, none can remember Oak Hill at a population as low as 86, and in fact my understanding is that the current population at Oak Hill is the highest it has ever been.



We plan to aggressively move in this direction in several ways over the next six months. In March, YRS will be launching the **ReFam** (Return to Families) program by placing and training 5 staff in each of our Secure and our Court and Community Programs Divisions. These staff will be charged with the duty of reviewing placement of less serious, younger and/or more vulnerable youth who have either been placed into locked custody or who are in jeopardy of being placed in locked custody. They will work literally around the clock finding relatives willing to take youth home under supervision, linking young people with community programs, reminding youth to attend court appearances, developing community-based individualized plans and, in short, exhibiting the sense of urgency about out-placing young people that has been lacking for far too long in the old YSA. We have not asked for any additional funding for these staff, however, part of the funds we are requesting for consultant services include consultants

to help design this unit and train staff on aggressively seeking and designing community based placements.

This will begin to address what I fear has become a lax attitude on the part of the juvenile justice system in general toward depriving young people of their liberty. Fully 70% of the youth at Oak Hill are confined for nonviolent offenses, the very kinds of crimes most members of the public believe are most appropriate for community based programming. The District has gone to the trouble of developing a Risk Assessment Instrument that is supposed to help guide which youth are placed in locked detention and which aren't – yet 50% of the time that instrument is overridden and youth are confined when their point score says go home. YRS is going to vigorously challenge the routine over-confinement of young people – ReFam is our line in the sand against such over-incarceration. This does not mean that we will not be holding youth accountable for their delinquent behavior, which absolutely must and will happen, and when appropriate confining youth in secure settings for their safety and the safety of the community, but it does mean that we will have a more objective process in determining which youth need to be detained and which can be handled more effectively in a non-secure setting.

But it will take more than just vigorous staff and a sense of urgency to reduce over-incarceration and increase community care. In order to begin to fill in some of the gaps in our community based programming, over the next six months YRS is proposing to develop and implement several innovative programs to augment services available to young people in lieu of confinement. It is clear from experience, discussions with court personnel, and review of numerous expert reports that part of the reason so many youths end up in Oak Hill is the lack of creative programming in the community to service their needs. This really boils down to two problems, one is the number of available beds and slots, but another, more important problem is the lack of diversity of those slots.

In previous testimony I spoke of the juvenile justice system having an “edifice complex” that is, over-relying on buildings as a response to troubled youth. But buildings, be they locked institutions like Oak Hill, or residential facilities, or even group homes, are only

part of the answer. Each time our staff is asking themselves the question “what should I do with this young person before me to help turn his or her life around” I want to challenge them with another question which is, “If I had the kind of money that I’m about to spend on this young person to put them in a building – locked, residential, or group care— and was able to put that money into staffing this young person in their own home, isn’t it likely that I would be able to get more services and public safety for the same dollar?” What is it about other edifices that make us believe young people are receiving better services in them than they could in their own home given the same staff and same available dollars?

Further, I will be challenging our staff to think differently about the young people entrusted to our care: while we often and for good reason hear the term “at-risk youth” to describe young people who come into contact with the juvenile justice system, we must also recognize the abundant strengths and talents that our young people bring to the table. Thus, while many of our young people may be at-risk of delinquent behavior, they are also all “*youth of promise*” and unless we take advantage of their talents and strengths – and I’ve yet to meet a young person who wasn’t good at something – we won’t be doing our part as responsible adults to most effectively support and guide them into life as a productive member of society.

So you will see that the request I am putting before you leans very heavily on services provided to kids residing in their own homes and that the only out of home placement I’m asking for help to open is as homelike as I can make it.

In order to allow appropriate youth to remain at home under rigorous supervision, I am requesting **\$500,000** to open two **Evening Reporting Centers**, each containing 50 slots, **\$412,000** to purchase 70 **Intensive Third Party Mentoring** slots, and **\$50,000** to purchase 30 slots in the Living Classrooms/United Parcel Service workforce development program for a total of **150** slots. As I have described previously, Evening Reporting Centers provide after school programming from the hours of 4 – 9 pm for youth diverted from detention who would otherwise be locked up; Intensive Third Party Mentoring

provides in-home supervision of up to 3 daily face-to-face visits to youth in lieu of confinement, and the Living Classrooms/United Parcel Service program provides supported work slots for 30 youth from Ward 7 in good jobs at worksites like UPS and others, along with work preparation and ongoing workplace support. None of the aforementioned options exist in YRS' current continuum of care; all of them would go a long way towards reducing our reliance on Oak Hill and other congregate care facilities.

In addition, YRS will be reserving **\$300,000** in flexible funding to augment existing contracts with community based vendors who haven't had an increase in years, to purchase youth-specific services for youth who could be in the community if we were able to augment services or provide additional monitoring or tracking and, in hopefully rare cases, purchase residential care for difficult to place youth.

In addition to these services, the majority of which will be in-home, DYRS is planning to open up three **Extended Family Homes** each containing four beds under competitive contracts with local vendors for a total of **12 additional beds**. These homes will be located in the three homes YRS currently owns and has furniture for, reducing the cost of our contracts. Extended family homes are a more home-like version of group homes, run by two couples each working half a week, in an environment that is smaller and more normalized than most group homes.

During this time, I also hope to have some consultants work with YRS staff to get them prepared to be out-stationed in one neighborhood during kid-friendly hours (i.e. *not* 9 - 5), perhaps located in one of our newly opened Evening Reporting Centers, to begin neighborhood-based YRS case management. Although the out-stationing of staff does not have significant additional costs, this is one of the other uses to which I intend to put the consultant funds I have requested.

The programs that I have described all have one important thing in common: they are evidence based and have been rigorously evaluated. In fact, the good news in juvenile justice is that we know much more today about what works with young people who

engage in delinquent behavior than we did 10 or even 5 years ago. As I mentioned in my testimony before the Council on January 31st, research by the University of Colorado's Center for the Study and Prevention of Violence, the US Surgeon General, and most recently the National Institute's of Health, have all documented programs that have met strict scientific standards of program effectiveness and have been shown to reduce adolescent violent crime, aggression, delinquency, and substance abuse. We will be investing more in these types of programs, tailoring them to our needs in the District, and then doing everything we can to make sure that they are run effectively and evaluated consistently.

This is our aggressive medium-term, six-month plan, one that I believe will get the population at Oak Hill down to its lowest count in decades and take significant strides toward creating a range of graduated community programs ranging from in home services to locked custody.

But the Mayor and Council have not asked me to downsize Oak Hill but to close it, and replace it with decent and humane secure custody for DC's youth who will need to be in locked custody no matter how good our community programs are. So, during the coming 90 – 180 days, I intend to conduct a thorough analysis of the population of youth in locked custody and in the community, conduct a thorough analysis of the range of community programs available locally and nationally that are working with troubled youth, and bring together the key stakeholders in DC to design the full continuum of care up to and including a thorough discussion of the kind and number of locked beds required to deal with our young people now and into the future. I am hoping to obtain the research component of this plan from the Annie E. Casey foundation as part of my efforts to court them to designate the District of Columbia a Juvenile Detention Alternatives Initiative site. I would like to use the consultant money I have requested to facilitate bringing the stakeholders together to flesh out the continuum and discuss the future of Oak Hill.

As for an ending date for use of the current Oak Hill facility, the Mayor has issued the 'Blueprint for Tomorrow' in which he indicates that we will stop using the current Oak

Hill facility by October of 2006, which is actually sooner than the timeframe under the Omnibus Juvenile Justice legislation passed by the Council last term. I think October 2006 is a reasonable deadline and I'm willing to recommit to it here today and, as I said previously, to give you a more detailed plan on how to get there over the next 90 - 180 days. I intend to give you a draft initial report in 90 days and a more fully vetted consensual report within 180 days.

This brings me to the second discussion, creation of model secure custody for our youth, and unlike the previous discussion, I'll start with the longer term first.

Numerous ideas have been put on the table about what ought to happen to the property in Laurel and where DC should put our locked custody, and I'd like to mention a few of those right now. The simplest is to knock down Oak Hill and replace it with locked custody on the same grounds – an idea that benefits from the advantage of being the least disruptive and perhaps easiest to implement. Options that would bring DC's incarcerated youth closer to their families would include trying to arrange a land swap for part of the Oak Hill property for federal land within DC's borders, or trying to sell off part of the property in Laurel and using the proceeds to buy land in DC and/or to construct the facility. With what is left of the land in Laurel, we could create a short term wilderness challenge program, like the Outward Bound model that many states have adapted successfully for delinquent youth, a use of that land that seems particularly fitting for the countrified landscape of that property.

In having this important and timely debate over the coming months, I would urge us to think outside the box, and not to think necessarily in large installments. On the delegation many of us took to Missouri, we saw that part of the success they have enjoyed is because they have placed small, 20-30 bed facilities all over their state, in unexpected locations like old schools, parks, university campuses and the like. The smallness of these facilities holds at least four advantages: it means that their placement does not burden any one community with a large youth prison, it means that the youth are held in more home-like and naturalized environments, it means that those homes are

close to their families and home communities, facilitating the maintenance of family ties and effective community reintegration; and it means that, if we can hold the facility sizes to under 16, they can become eligible for federal reimbursements.

The Missouri approach is also supported by evidence showing that when young people are incarcerated in large, locked institutions, their behavior gets worse, not better. Obviously, some young people need to be incarcerated for their safety and ours, and all young people who break the law need to be held accountable for their behavior. But that is not the same as saying that they should all be held in large, locked institutions – research and experience is showing that, when nonviolent young offenders can be managed in rigorous programs in their own communities, not only does that result in less crime, it results in a cost savings to the taxpayers.

In the short run, while this discussion occurs over the next six months, part of the request we have made to increase staffing in DYRS is to create three model units, two at Oak Hill and one at YSC, combining the Missouri Model with a unit management approach. In Missouri, staff engage the youth through Guided Group Interaction and Positive Peer Culture to create a positive, therapeutic milieu that is having astounding results. The facilities rarely have incidents of drug use or violence, there hasn't been a lawsuit against the system in over 15 years, and, perhaps most importantly, the recidivism rate is one-quarter that of DC. We visited the Missouri system in January and their Director visited us in February, and we are in negotiations right now to send staff from our first model unit out for a week to be trained on their model.

So, six months from now, I hope to have 86 kids at Oak Hill all or nearly all of whom are in Missouri-style units, a fully functioning YSC, 150 or so newly operating and filled community based slots 90% of which are serving formerly incarcerated youth in their own homes and a plan for the closure, in the not too distant future, of Oak Hill. I said it before and I'm going to say it again, the clearest and most useful vision statement I can think of is that as we're designing our new system we continually ask ourselves, if my children were in trouble, and we had the kind of money we're spending to lock a kid up

at Oak Hill to spend on them, what would we design to hold them accountable and turn their lives around? As long as we keep that as our guiding principle, we will succeed.

Thank you for your consideration. I look forward to answering your questions and continuing to work with you as we move forward.